

## Calendar No. 671

106<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION**S. 2845****[Report No. 106–336]**

To authorize additional assistance to countries with large populations having HIV/AIDS, to authorize assistance for tuberculosis prevention, treatment, control, and elimination, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JULY 11, 2000

Mr. HELMS, from the Committee on Foreign Relations, reported the following original bill; which was read twice and placed on the calendar

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**A BILL**

To authorize additional assistance to countries with large populations having HIV/AIDS, to authorize assistance for tuberculosis prevention, treatment, control, and elimination, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Global AIDS and Tu-  
5       berculosis Relief Act of 2000”.

1 **TITLE I—ASSISTANCE TO COUN-**  
2 **TRIES WITH LARGE POPU-**  
3 **LATIONS HAVING HIV/AIDS**

4 **SEC. 101. SHORT TITLE.**

5 This title may be cited as the “Global AIDS Research  
6 and Relief Act of 2000”.

7 **SEC. 102. DEFINITIONS.**

8 In this title:

9 (1) AIDS.—The term “AIDS” means the ac-  
10 quired immune deficiency syndrome.

11 (2) ASSOCIATION.—The term “Association”  
12 means the International Development Association.

13 (3) BANK.—The term “Bank” or “World  
14 Bank” means the International Bank for Recon-  
15 struction and Development.

16 (4) HIV.—The term “HIV” means the human  
17 immunodeficiency virus.

18 (5) HIV/AIDS.—The term “HIV/AIDS”  
19 means, with respect to an individual—

20 (A) an individual having HIV but not  
21 AIDS; or

22 (B) an individual having HIV and AIDS.

23 **SEC. 103. FINDINGS AND PURPOSES.**

24 (a) FINDINGS.—Congress makes the following find-  
25 ings:

1           (1) According to statistics of the World Bank,  
2           more than 90 percent of all adults and children with  
3           HIV/AIDS live in the developing world—62 percent  
4           in sub-Saharan Africa, 24 percent in Asia, and 6.9  
5           percent in Latin America and the Caribbean.

6           (2) According to UNAIDS, nearly 4,500,000  
7           children under 15 years of age have been infected  
8           with HIV since the AIDS epidemic began. More  
9           than 3,000,000 have already died of AIDS. Children  
10          are becoming infected at about the rate of 1 child  
11          every minute, and the overwhelming majority of  
12          these children acquire the infection from their moth-  
13          ers.

14          (3) The gap between rich and poor countries in  
15          terms of transmission of HIV from mother to child  
16          has been increasing. Moreover, AIDS threatens to  
17          reverse years of steady progress of child survival in  
18          developing countries. UNAIDS believes that by the  
19          year 2010, AIDS may have increased mortality of  
20          children under 5 years of age by more than 100 per-  
21          cent in regions most affected by the virus.

22          (4) In Africa, the death toll from AIDS has  
23          reached 13,000,000, while 23,000,000 others live  
24          with the disease, and more than 10,000,000 children  
25          have been infected or orphaned by it.

1           (5) The World Bank, declaring AIDS not just  
2           a public health problem but the “foremost and fast-  
3           est-growing threat to development” in Africa, has  
4           launched a new strategy for HIV/AIDS in Africa,  
5           declaring it a top priority for the World Bank on  
6           that continent.

7           (6) AIDS, like all diseases, knows no bound-  
8           aries, and there is no certitude that the scale of the  
9           problem in one continent can be contained within  
10          that region.

11          (7) Accordingly, United States financial support  
12          for medical research, education, and disease contain-  
13          ment as a global strategy has beneficial ramifica-  
14          tions for millions of Americans and their families  
15          who are affected by this disease, and the entire pop-  
16          ulation which is potentially susceptible.

17          (8) The discovery of a relatively simple and  
18          cheap means of interrupting the transmission of  
19          HIV from an infected mother to the unborn child—  
20          namely with nevirapine (NVP), which costs US\$4 a  
21          tablet—has created a great opportunity for an un-  
22          precedented partnership between the United States  
23          Government and the governments of Asian, African  
24          and Latin American countries to combat mother-to-

1 child transmission (also known as “vertical trans-  
2 mission”) of HIV.

3 (9) According to UNAIDS, this strategy will  
4 decrease the proportion of orphans that are HIV-in-  
5 fected and decrease infant and child mortality rates  
6 in these developing regions.

7 (10) At current infection and growth rates for  
8 HIV/AIDS, the National Intelligence Council esti-  
9 mates that the number of AIDS orphans worldwide  
10 will increase dramatically, potentially increasing  
11 threefold or more in the next 10 years, contributing  
12 to economic decay, social fragmentation, and polit-  
13 ical destabilization in already volatile and strained  
14 societies. Children without care or hope are often  
15 drawn into prostitution, crime, substance abuse, or  
16 child soldiery.

17 (11) Donors must focus on adequate prepara-  
18 tions for the explosion in the number of orphans and  
19 the burden they will place on families, communities,  
20 economies, and governments. Support structures and  
21 incentives for families, communities, and institutions  
22 which will provide care for children orphaned by  
23 HIV/AIDS, or for the children who are themselves  
24 infected by HIV/AIDS, will be essential.

1           (12) A mother-to-child antiretroviral drug strat-  
 2           egy can be a force for social change, providing the  
 3           opportunity and impetus needed to tackle often long-  
 4           standing problems of inadequate services and the  
 5           profound stigma associated with HIV-infection and  
 6           the AIDS disease. Strengthening the health infra-  
 7           structure to improve mother-and-child health,  
 8           antenatal, delivery and postnatal services, and cou-  
 9           ples counseling generates enormous spillover effects  
 10          toward combating the AIDS epidemic in developing  
 11          regions.

12          (b) PURPOSES.—The purposes of this title are to—

13               (1) prevent human suffering; and

14               (2) ensure the viability of economic develop-  
 15          ment, stability, and national security in the devel-  
 16          oping world by advancing research to—

17                       (A) understand the causes associated with  
 18                       HIV/AIDS in developing countries; and

19                       (B) assist in the development of an AIDS  
 20          vaccine.

21   **SEC. 104. ADDITIONAL ASSISTANCE AUTHORITIES TO COM-**  
 22                       **BAT HIV AND AIDS.**

23          (a) ASSISTANCE FOR PREVENTION OF HIV/AIDS  
 24   AND VERTICAL TRANSMISSION.—Section 104(c) of the  
 25   Foreign Assistance Act of 1961 (22 U.S.C. 2151b(c)) is

1 amended by adding at the end the following new para-  
2 graphs:

3       “(4)(A) Congress recognizes the growing inter-  
4 national dilemma of children with the human immuno-  
5 deficiency virus (HIV) and the merits of intervention pro-  
6 grams aimed at this problem. Congress further recognizes  
7 that mother-to-child transmission prevention strategies  
8 can serve as a major force for change in developing re-  
9 gions, and it is, therefore, a major objective of the foreign  
10 assistance program to control the acquired immune defi-  
11 ciency syndrome (AIDS) epidemic.

12       “(B) The agency primarily responsible for admin-  
13 istering this part shall—

14               “(i) coordinate with UNAIDS, UNICEF,  
15 WHO, local governments, and other organizations to  
16 develop and implement effective strategies to prevent  
17 vertical transmission of HIV; and

18               “(ii) coordinate with those organizations to in-  
19 crease in scale intervention programs and introduce  
20 voluntary counseling and testing, antiretroviral  
21 drugs, replacement feeding, and other strategies.

22       “(5)(A) Congress expects the agency primarily re-  
23 sponsible for administering this part to make the human  
24 immunodeficiency virus (HIV) and the acquired immune  
25 deficiency syndrome (AIDS) a priority in the foreign as-

1   sistance program and to undertake a comprehensive, co-  
2   ordinated effort to combat HIV and AIDS.

3       “(B) Assistance described in subparagraph (A) shall  
4   include providing—

5           “(i) primary prevention and education;

6           “(ii) voluntary testing and counseling;

7           “(iii) medications to prevent the transmission of  
8   HIV and AIDS from mother to child; and

9           “(iv) care for those living with HIV or AIDS.

10       “(6)(A) In addition to amounts otherwise available  
11   for such purpose, there is authorized to be appropriated  
12   to the President \$300,000,000 for fiscal year 2001 to  
13   carry out paragraphs (4) and (5).

14       “(B) Of the funds authorized to be appropriated  
15   under subparagraph (A), not less than 65 percent is au-  
16   thorized to be available through United States and foreign  
17   nongovernmental organizations, including private and vol-  
18   untary organizations, for-profit organizations, religious af-  
19   filiated organizations, educational institutions, and re-  
20   search facilities.

21       “(C)(i) Of the funds authorized to be appropriated  
22   by subparagraph (A), not less than 20 percent is author-  
23   ized to be available for programs as part of a multidonor  
24   strategy to address the support and education of orphans  
25   in sub-Saharan Africa, including AIDS orphans.



1       “(ii) Assistance made available under this subpara-  
2 graph may be made available notwithstanding any other  
3 provision of law.

4       “(D) Of the funds authorized to be appropriated  
5 under subparagraph (A), not less than 8.3 percent is au-  
6 thorized to be available to carry out the prevention strate-  
7 gies for vertical transmission referred to in paragraph  
8 (4)(A).

9       “(E) Of the funds authorized to be appropriated by  
10 subparagraph (A), not more than 7 percent may be used  
11 for the administrative expenses of the agency primarily re-  
12 sponsible for carrying out this part of this Act in support  
13 of activities described in paragraphs (4) and (5).

14       “(F) Funds appropriated under this paragraph are  
15 authorized to remain available until expended.”.

16       (b) TRAINING AND TRAINING FACILITIES IN SUB-SA-  
17 HARAN AFRICA.—Section 496(i)(2) of the Foreign Assist-  
18 ance Act of 1961 (22 U.S.C. 2293(i)(2)) is amended by  
19 adding at the end the following new sentence: “In addi-  
20 tion, providing training and training facilities, in sub-Sa-  
21 haran Africa, for doctors and other health care providers,  
22 notwithstanding any provision of law that restricts assist-  
23 ance to foreign countries.”.

1 **SEC. 105. VOLUNTARY CONTRIBUTION TO GLOBAL ALLI-**  
2 **ANCE FOR VACCINES AND IMMUNIZATIONS**  
3 **AND INTERNATIONAL AIDS VACCINE INITIA-**  
4 **TIVE.**

5 (a) AUTHORIZATION OF APPROPRIATIONS.—Section  
6 302 of the Foreign Assistance Act of 1961 (22 U.S.C.  
7 2222) is amended by adding at the end the following new  
8 subsections:

9 “(j) In addition to amounts otherwise available under  
10 this section, there is authorized to be appropriated to the  
11 President \$50,000,000 for fiscal year 2001 to be available  
12 only for United States contributions to the Global Alliance  
13 for Vaccines and Immunizations.

14 “(k) In addition to amounts otherwise available under  
15 this section, there is authorized to be appropriated to the  
16 President \$10,000,000 for fiscal year 2001 to be available  
17 only for United States contributions to the International  
18 AIDS Vaccine Initiative.”.

19 (b) REPORT.—At the close of fiscal year 2001, the  
20 President shall submit a report to the appropriate con-  
21 gressional committees on the effectiveness of the Global  
22 Alliance for Vaccines and Immunizations and the Inter-  
23 national AIDS Vaccine Initiative during that fiscal year  
24 in meeting the goals of—

25 (1) improving access to sustainable immuniza-  
26 tion services;

(4) accelerating research and development efforts for vaccines needed primarily in developing countries; and

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In subsection (b), the term “appropriate congressional committees” means the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

(a) NEGOTIATIONS.—The President should enter into negotiations with officials of foreign governments and other interested parties for the establishment of an international vaccine purchase fund that would—

(2) use such contributions to purchase and distribute in developing countries vaccines for—

- 1 (A) malaria,
- 2 (B) tuberculosis,
- 3 (C) HIV, and
- 4 (D) any infectious disease (of a single eti-
- 5 ology) which causes the deaths of over
- 6 1,000,000 people worldwide each year; and
- 7 (3) be a significant market incentive for private
- 8 sector vaccine research.

9 (b) REPORT.—Not later than 1 year after the date  
 10 of enactment of this Act, and annually thereafter, the  
 11 President shall submit a report to Congress on—

- 12 (1) the status of negotiations under subsection
- 13 (a); and
- 14 (2) if such fund is established, any rec-
- 15 ommendations for further action.

16 **SEC. 107. WORLD BANK TRUST FUND FOR AIDS PREVEN-**  
 17 **TION AND ERADICATION.**

18 (a) NEGOTIATIONS FOR THE CREATION OF A WORLD  
 19 BANK TRUST FUND TO ASSIST IN AIDS PREVENTION  
 20 AND ERADICATION.—The Secretary of the Treasury shall  
 21 enter into negotiations with the World Bank or the Asso-  
 22 ciation, with the member nations of such institutions, and  
 23 with other interested parties for the creation of a trust  
 24 fund, to be administered by the Bank or the Association,  
 25 as appropriate, which would—

1           (1) accept contributions from governments, the  
2       private sector, and nongovernmental entities of all  
3       kinds; and

4           (2) use such contributions to address the AIDS  
5       epidemic in countries eligible to borrow from the As-  
6       sociation.

7       (b) AUTHORIZATION OF APPROPRIATIONS.—In addi-  
8       tion to any other funds authorized to be appropriated for  
9       multilateral or bilateral programs related to AIDS, there  
10      is authorized to be appropriated to the President  
11      \$100,000,000 for fiscal year 2001 for payment to the  
12      trust fund established as a result of the negotiations en-  
13      tered into pursuant to subsection (a).

14      (c) REPORT TO CONGRESS.—Beginning 1 year after  
15      the date of enactment of this Act, and annually thereafter,  
16      the Secretary of the Treasury shall submit to the Commit-  
17      tees on Banking and Financial Services and on Inter-  
18      national Relations of the House of Representatives and  
19      the Committees on Banking, Housing, and Urban Affairs  
20      and on Foreign Relations of the Senate a written report  
21      on the trust fund established pursuant to subsection (a),  
22      the goals of the trust fund, the programs, projects, and  
23      activities, including any vaccination approaches, supported  
24      by the trust fund, and the effectiveness of such programs,

1 projects, and activities in reducing the worldwide spread  
2 of AIDS.

3 **SEC. 108. NEGOTIATIONS FOR THE CREATION OF A WORLD**  
4 **BANK TRUST FUND FOR EDUCATION OF OR-**  
5 **PHANS IN SUB-SAHARAN AFRICA.**

6 (a) NEGOTIATIONS.—The Secretary of the Treasury  
7 shall enter into negotiations with the World Bank or the  
8 Association, with member nations of such institutions, and  
9 with other interested parties, for the creation of a trust  
10 fund which could accept contributions from governments,  
11 the private sector, and nongovernmental entities of all  
12 kinds, and use such contributions to provide support for  
13 or the establishment of programs which provide primary  
14 and secondary education for orphans in sub-Saharan  
15 Africa.

16 (b) AUTHORIZATION OF APPROPRIATIONS.—In addi-  
17 tion to funds otherwise available for the purposes of sub-  
18 section (a), there is authorized to be appropriated to the  
19 President \$50,000,000 for the fiscal year 2001 for pay-  
20 ment to the trust fund established as a result of the nego-  
21 tiations entered into pursuant to subsection (a).

1 **SEC. 109. COORDINATED DONOR STRATEGY FOR SUPPORT**  
 2 **AND EDUCATION OF ORPHANS IN SUB-SAHA-**  
 3 **RAN AFRICA.**

4 Chapter 1 of part I of the Foreign Assistance Act  
 5 of 1961 (22 U.S.C. 2151 et seq.) is amended by adding  
 6 at the end the following new section:

7 **“SEC. 131. COORDINATED DONOR STRATEGY FOR SUPPORT**  
 8 **AND EDUCATION OF ORPHANS IN SUB-SAHA-**  
 9 **RAN AFRICA.**

10 “(a) STATEMENT OF POLICY.—It is in the national  
 11 interest of the United States to assist in mitigating the  
 12 burden that will be placed on sub-Saharan African social,  
 13 economic, and political institutions as these institutions  
 14 struggle with the consequences of a dramatically increas-  
 15 ing AIDS orphan population, many of whom are them-  
 16 selves infected by HIV/AIDS. Effectively addressing that  
 17 burden and its consequences in sub-Saharan Africa will  
 18 require a coordinated multidonor strategy.

19 “(b) DEVELOPMENT OF STRATEGY.—The President  
 20 shall coordinate the development of a multidonor strategy  
 21 to provide for the support and education of AIDS orphans  
 22 and the families, communities, and institutions most af-  
 23 fected by the HIV/AIDS epidemic in sub-Saharan Africa.

24 “(c) DEFINITION.—In this section, the term ‘HIV/  
 25 AIDS’ means, with respect to an individual, an individual  
 26 who is infected with—

1           “(1) the human immunodeficiency virus (HIV);  
2       or  
3           “(2) HIV and the acquired immune deficiency  
4       virus (AIDS).”.

5 **SEC. 110. AFRICAN CRISIS RESPONSE INITIATIVE AND HIV/**  
6 **AIDS TRAINING.**

7       (a) FINDINGS.—Congress finds that—

8           (1) the spread of AIDS constitutes a threat to  
9       security in Africa;

10          (2) civil unrest and war may contribute to the  
11       spread of the disease to different parts of the con-  
12       tinent;

13          (3) the percentage of soldiers in African mili-  
14       taries who are infected with HIV/AIDS is unknown,  
15       but estimates range in some countries as high as 40  
16       percent; and

17          (4) it is in the interests of the United States to  
18       assist the countries of Africa in combating the  
19       spread of HIV/AIDS.

20       (b) EDUCATION ON THE PREVENTION OF THE  
21       SPREAD OF AIDS.—In undertaking education and train-  
22       ing programs for military establishments of in African  
23       countries, the United States shall ensure that classroom  
24       training under the African Crisis Response Initiative in-



1 cludes military-based education on the prevention of the  
2 spread of AIDS.

## 3       **TITLE II—INTERNATIONAL** 4       **TUBERCULOSIS CONTROL**

### 5   **SEC. 201. SHORT TITLE.**

6       This title may be cited as the “International Tuber-  
7 culosis Control Act of 2000”.

### 8   **SEC. 202. FINDINGS.**

9       Congress makes the following findings:

10           (1) Since the development of antibiotics in the  
11       1950s, tuberculosis has been largely controlled in the  
12       United States and the Western World.

13           (2) Due to societal factors, including growing  
14       urban decay, inadequate health care systems, per-  
15       sistent poverty, overcrowding, and malnutrition, as  
16       well as medical factors, including the HIV/AIDS epi-  
17       demic and the emergence of multi-drug resistant  
18       strains of tuberculosis, tuberculosis has again be-  
19       come a leading and growing cause of adult deaths in  
20       the developing world.

21           (3) According to the World Health  
22       Organization—

23                (A) in 1998, about 1,860,000 people  
24       worldwide died of tuberculosis-related illnesses;

1 (B) one-third of the world's total popu-  
2 lation is infected with tuberculosis; and

3 (C) tuberculosis is the world's leading kill-  
4 er of women between 15 and 44 years old and  
5 is a leading cause of children becoming or-  
6 phans.

7 (4) Because of the ease of transmission of tu-  
8 berculosis, its international persistence and growth  
9 pose a direct public health threat to those nations  
10 that had previously largely controlled the disease.  
11 This is complicated in the United States by the  
12 growth of the homeless population, the rate of incar-  
13 ceration, international travel, immigration, and HIV/  
14 AIDS.

15 (5) With nearly 40 percent of the tuberculosis  
16 cases in the United States attributable to foreign-  
17 born persons, tuberculosis will never be controlled in  
18 the United States until it is controlled abroad.

19 (6) The means exist to control tuberculosis  
20 through screening, diagnosis, treatment, patient  
21 compliance, monitoring, and ongoing review of out-  
22 comes.

23 (7) Efforts to control tuberculosis are com-  
24 plicated by several barriers, including—

1 (A) the labor intensive and lengthy process  
 2 involved in screening, detecting, and treating  
 3 the disease;

4 (B) a lack of funding, trained personnel,  
 5 and medicine in virtually every nation with a  
 6 high rate of the disease;

7 (C) the unique circumstances in each coun-  
 8 try, which requires the development and imple-  
 9 mentation of country-specific programs; and

10 (D) the risk of having a bad tuberculosis  
 11 program, which is worse than having no tuber-  
 12 culosis program because it would significantly  
 13 increase the risk of the development of more  
 14 widespread drug-resistant strains of the disease.

15 (8) Eliminating the barriers to the international  
 16 control of tuberculosis through a well-structured,  
 17 comprehensive, and coordinated worldwide effort  
 18 would be a significant step in dealing with the in-  
 19 creasing public health problem posed by the disease.

20 **SEC. 203. ASSISTANCE FOR TUBERCULOSIS PREVENTION,**  
 21 **TREATMENT, CONTROL, AND ELIMINATION.**

22 Section 104(c) of the Foreign Assistance Act of 1961  
 23 (22 U.S.C. 2151b(c)), as amended by section 103(a) of  
 24 this Act, is further amended by adding at the end the fol-  
 25 lowing:

1       “(7)(A) Congress recognizes the growing inter-  
2 national problem of tuberculosis and the impact its contin-  
3 ued existence has on those nations that had previously  
4 largely controlled the disease. Congress further recognizes  
5 that the means exist to control and treat tuberculosis, and  
6 that it is therefore a major objective of the foreign assist-  
7 ance program to control the disease. To this end, Congress  
8 expects the agency primarily responsible for administering  
9 this part—

10           “(i) to coordinate with the World Health Orga-  
11 nization, the Centers for Disease Control, the Na-  
12 tional Institutes of Health, and other organizations  
13 toward the development and implementation of a  
14 comprehensive tuberculosis control program; and

15           “(ii) to set as a goal the detection of at least  
16 70 percent of the cases of infectious tuberculosis,  
17 and the cure of at least 85 percent of the cases de-  
18 tected, in those countries in which the agency has  
19 established development programs, by December 31,  
20 2010.

21       “(B) There is authorized to be appropriated to the  
22 President, \$60,000,000 for fiscal year 2001 to be used to  
23 carry out this paragraph. Funds appropriated under this  
24 subparagraph are authorized to remain available until ex-  
25 pended.”.



**Calendar No. 671**

106TH CONGRESS  
2D SESSION

**H. R. 2845**

**[Report No. 106-336]**

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**A BILL**

To authorize additional assistance to countries with large populations having HIV/AIDS, to authorize assistance for tuberculosis prevention, treatment, control, and elimination, and for other purposes.

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JULY 11, 2000

Read twice and placed on the calendar